

FISCAL NOTE

HB 796 - SB 1117

March 26, 2001

SUMMARY OF BILL: Adds a new section which sets forth specific time limits for the scheduling of the hearings in delinquency matters:

- Adjudicatory hearing where the juvenile is detained in a secure facility must be scheduled within 60 days of the date the juvenile was taken into custody.
- Dispositional hearing for a juvenile held in a secure facility must be set for hearing within 45 days of the adjudicatory hearing.
- Transfer hearing for a juvenile held in secure facility must be held within 90 days of the date the juvenile was taken into custody

Currently the Rules of Juvenile Procedures provide the following time limits for children detained or in custody:

- Adjudicatory hearing must be scheduled within 30 days of the date the child is taken into custody.
- Dispositional hearings must be held within 15 days of the adjudicatory hearing if the child is in custody and within 90 days for all other cases.
- Continuances may be granted on adjudicatory and dispositional hearings for good cause shown or by agreement.

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Expenditures* - Exceeds \$3,000,000

Assumes an increase in detention costs by lengthening the permissible amount of time in which a child is held in detention pending adjudicatory and dispositional hearings. The costs are based upon 26,300 juvenile petitions for offenses that would be felonies if committed by an adult and 10 % being held in detention an additional 15 days at \$100 per day.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

HB 796 - SB 1117